

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor :	Michael BIRSCHBACH	
Appln. No. :	10/726,389	
Filed :	December 1, 2003	Group Art Unit : 1745
Title :	Fuel Cell Cartridge for Portable Electronic Device	Examiner : To be assigned

**DECLARATION AND POWER OF ATTORNEY
FOR UTILITY PATENT APPLICATION
(37 C.F.R. § 1.63)**

As a below named inventor, I hereby declare that my mailing address and citizenship are as stated below.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:

FUEL CELL CARTRIDGE FOR PORTABLE ELECTRONIC DEVICE

the specification of which:

- ☐ is attached hereto OR
- ☒ was filed on December 1, 2003 as United States Application No. or PCT International Application No. 10/726,389 (Docket No. A-70547-2/RFT/VEJ; Matter No. 468940-00071) and as the application was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information known to me that is material to patentability as defined in 37 C.F.R. 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

PRIOR FOREIGN APPLICATION(S)

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PRIOR PROVISIONAL APPLICATION(S)

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)
60/517,469	11/04/2003
60/431,139	12/04/2002
60/430,591	12/02/2002

POWER OF ATTORNEY


I hereby appoint the Dorsey & Whitney LLP attorneys and agents associated with Customer Number 32940 to prosecute the patent application identified above and to transact all business in the Patent and Trademark Office connected therewith, including full power of association, substitution, and revocation.

PLEASE DIRECT ALL CORRESPONDENCE TO:

The address associated with Customer Number: 32940, currently:

Name	Richard F. Trecartin
Address	DORSEY & WHITNEY LLP Four Embarcadero Center Suite 3400 San Francisco, California 94111-4187
Telephone	(415) 781-1989
Fax	(415) 398-3249

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Sole or First Inventor:	Given Name (first and middle [if any])	Family Name or Surname
Name	Michael	BIRSCHBACH
Inventor's Signature		
Date	3/18/04	
Residence (City, State, Country)	3030 Castro St San Francisco CA 94131	
Citizenship	United States	
Post Office Address	c/o Polyfuel, Inc. 1245 Terra Bella Avenue Mt. View, California 94043	

PATENT

Docket No. A-70547-2/RFT/VEJ
Matter No. 468940-00071
Application No. 10/726,389

POWER OF ATTORNEY BY ASSIGNEE

The undersigned assignee of the entire interest in application for letters patent entitled: *FUEL CELL CARTRIDGE FOR PORTABLE ELECTRONIC DEVICE* and having the named inventor: Michael BIRSCHBACH, U.S. Patent Application No. 10/726,389 filed on December 1, 2003 hereby appoints as my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith, the Dorsey & Whitney LLP attorneys and agents associated with Customer Number 32940.

In accordance with 37 CFR § 3.73 the assignee hereby certifies that the evidentiary documents with respect to its ownership have been reviewed and that, to the best of assignee's knowledge and belief, title is in the assignee seeking to take this action.

Direct all telephone calls to Richard F. Trecartin at (415) 781-1989.

Address all correspondence to:

Richard F. Trecartin
DORSEY & WHITNEY LLP
Suite 3400, Four Embarcadero Center
San Francisco, California 94111-4187
Facsimile: (415) 398-3249

Assignee: Polyfuel, Inc.

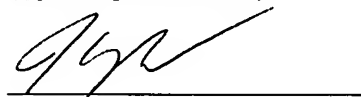
Date: March 17, 2004

By:

Henry Voss

(typed or printed name)

Signature:



Title:

Vice President, Engineering

Address:

1245 Terra Bella Avenue
Mt. View, California 94043